

Upon motion of Senator Dunagan, the report of the Conference Committee is adopted and a message is ordered sent to the House, informing that Body of such action.

Upon motion of Senator Dunagan, H. B. 1098, a bill to be entitled "An act to amend chapter 342, Private Laws of 1901, relating to Scotland Neck." is taken from the Committee on Counties, Cities and Towns and re-referred to the Committee on Finance.

Upon motion of Senator Burgin, H. B. 1069, a bill fixing the compensation of the clerk of the court, register of deeds and sheriff of Montgomery County and the duties thereof, is taken from the Committee on Salaries and Fees and referred to the Committee on Judiciary No. 2.

MESSAGE FROM THE SUPREME COURT

The President announces receipt of a communication from the Supreme Court of North Carolina as follows:

To the General Assembly of North Carolina:

GENTLEMEN: In compliance with your request contained in Joint Resolution No. 31, copies of which have been transmitted to each of us by the President of the Senate, and the Speaker of the House of Representatives, as directed by the Resolution, we, the Chief Justice and Associate Justices of the Supreme Court of North Carolina, have inspected, and carefully considered the provisions of Senate Bill No. 320, introduced by Senator A. D. MacLean, and of House Bill No. 879, introduced by Representative Murphy.

You request us further to advise you whether in the opinion of said Chief Justice and Associate Justices, the said bills, either or both of them, set up the Constitutional procedure by which a Convention of the people of this State may be called for the purpose of passing on the proposed amendment of the Constitution of the United States, referred to in said Resolution. We herewith comply with this request.

It is the opinion of the Chief Justice and Associate Justices of the Supreme Court of North Carolina, as individuals, that a Convention called, organized and held under the provisions of Senate Bill No. 320, introduced by Senator MacLean, and now pending in the Senate, if said bill shall be enacted by the General Assembly of North Carolina, would be valid under the provisions of Section 1, Article XIII, of the Constitution of North Carolina, and that the action of such Convention upon the proposed Amendment to the Constitution of the United States would be valid and effective for all purposes.

There is a difference of opinion, among the Chief Justice and Associate Justices of the Supreme Court of North Carolina, as to the validity of a Convention in this State as provided for, organized and held under the provisions of House Bill No. 879, introduced by Representative Murphy, and now pending in the House of Representatives, if said bill shall be enacted by the General Assembly, the majority being of opinion that such Convention would not be valid for any purpose, the minority being of a contrary opinion.

It is deemed proper to say that it is the opinion of the Chief Justice and Associate Justices of the Supreme Court of North Carolina that the question presented by Joint Resolution No. 31, in its final analysis, is a Federal question, and can be answered only by the Supreme Court of the United States,